IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.937 OF 2005

M/s.Satishchandra Shinde And Company
Through its owner: Shri Vishnu
Pandurang Shinde : Petitioner

V/s.

Satara Zilla Kharedi Vikri Sangh
Limited, Satara, through General
Manager Shivajirao Gopalrao Salunkhe
(Resp.nos.2 to 4 deleted as per Court's
order dated 20.6.05) : Respondent

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Mr.Dilip Bodake for the petitioner.
Mr.P.A.Pol for the respondent.

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CORAM : S.A. BOBDE, J.

August 8, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Pol, learned counsel, appears and waives service of rule on behalf of the respondent.

Heard by consent.

2. The following order is passed by consent:-

O R D E R

The impugned order dated 25.10.2004 is set aside. The petitioner shall be at liberty to file an appeal along with an application for condonation of delay against the judgement and decree dated 22.8.2003 before the appropriate appellate Court. The petitioner may file an appeal along with application for condonation of delay within a period of one week from today. Till then, there shall be ad-interim stay of the execution.

3. The rule is made absolute in the aforesaid terms.

S.A. BOBDE, J.